

### **Remarks**

Applicant has cancelled claims 3-5 and 14-21 and has amended claims 1 and 22. Applicant has also added new claims 23-36 which are supported by the specification as originally filed. New claims 23-24 are dependent claims of independent claim 1. New claims 25-29 are dependent claims of independent claim 22. New claims 30-36 are drawn to an animal feeder according to one embodiment of the present invention. Applicant submits that previously presented claims 1, 6-8, and 22, and new claims 23-36 are allowable over the cited references. As such, Applicant respectfully requests allowance of these claims.

### **Rejections under 35 U.S.C. §103(a)**

#### **Claims 1, 7, 8, 22**

The Examiner has rejected claims 1, 7, 8 and 22 under 35 U.S.C. § 103(a) as being unpatentable over O'Malley et al. (U.S. Pat. No. 2,886,002) ("O'Malley") in view of Bartis (U.S. Pat. No. 4,815,621). Applicant submits that the O'Malley/Bartis combination does not disclose or suggest the claim limitations of any of claims 1, 7, 8 and 22.

Regarding claim 1, neither reference discloses or suggests a feed hopper having a filling end and a feeding end, wherein the filling end has a cover having an access door with a hinged lid for opening and closing off the opening of the access door, the hinged lid having at least one lid protrusion which rests against the cover when the hinged lid is in the closed position to enable the hinged lid to be breathable. In addition,

neither O'Malley nor Bartis disclose or suggest a protective cage, platform or ladder, as is recited in Applicant's claim 1.

Regarding claim 22, neither reference discloses or suggests a feed hopper having a filling end and a feeding end, wherein the filling end has a cover having an access door with a breathable lid. In addition, neither O'Malley nor Bartis disclose or suggest a feeding tube, a platform, and a ladder as recited in Applicant's claim 22.

Because the combination of references does not recite the claim limitations of any of claims 1, 7, 8 and 22, Applicant respectfully requests the rejection be withdrawn.

### **Claim 3**

The Examiner rejected claim 3 under 35 U.S.C. § 103(a) based on O'Malley in view of Bartis and further in view of Smeester (U.S. Patent No. 5,740,757). Applicant submits that the O'Malley/Bartis/Smeester combination does not disclose or suggest the claim limitations of claim 3. However, the rejection is rendered moot as claim 3 has been cancelled. As such, Applicant respectfully requests that the Examiner withdraw the rejection.

### **Claims 4 & 5**

The Examiner rejected claims 4 and 5 under 35 U.S.C. § 103(a) based on O'Malley in view of Bartis and further in view of Dubbert et al. ("Dubbert") (U.S. Patent No. 5,339,996). Applicant submits that the O'Malley/Bartis/Dubbert combination does not disclose or suggest the claim limitations of claims 4 and 5. However, the rejection is rendered moot as claims 4 and 5 have been cancelled. As such, Applicant respectfully requests that the Examiner withdraw the rejections.

### **Claim 6**

The Examiner rejected claim 6 under 35 U.S.C. § 103(a) based on O'Malley in view of Bartis and further in view of Hill et al. ("Hill") (U.S. Patent No. 6,073,587). For the reasons set forth above, Applicant respectfully submits that the O'Malley/Bartis combination is improper. The further combination of these references with Hill is also improper. As such, Applicant respectfully requests that the Examiner withdraw the rejection.

**Claims 14-15 and 20-21**

The Examiner rejected claims 14, 15, 20, and 21 under 35 U.S.C. § 103(a) based on O'Malley. Applicant submits that O'Malley does not disclose or suggest the claim limitations of any of claims 14, 15, 20, and 21. However, the rejection is rendered moot as claims 14, 15, 20, and 21 have been cancelled. As such, Applicant respectfully requests that the Examiner withdraw the rejections.

**Claims 16-19**

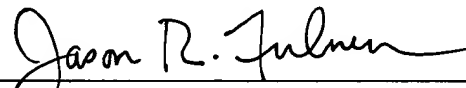
The Examiner rejected claims 16-19 under 35 U.S.C. § 103(a) based on O'Malley in view of Smeester (claim 16), O'Malley in view of Dubbert (claims 17-18) and O'Malley in view of Hill (claim 19). Applicant submits that the O'Malley/Smeester (claim 16), the O'Malley/Dubbert (claims 17-18) and O'Malley/Hill (claim 19) combinations do not disclose or suggest the claim limitations of any of claims 16-19. However, the rejection is rendered moot as claims 16-19 have been cancelled. As such, Applicant respectfully requests that the Examiner withdraw the rejections.

**Conclusion**

In light of the above amendment and remarks, Applicant respectfully requests reconsideration and allowance of the currently pending claims.

The claims do not increase the total number of claims beyond twenty (20), and as such, no fee (other than the RCE Fee) is believed to be due. Should any additional fees under 37 C.F.R. §§ 1.16 to 1.18 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Gardere Wynne Sewell LLP, Deposit Account No. 07-0153. The Examiner is requested to telephone the undersigned for any reason that would advance the application to issue.

Respectfully submitted,



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